

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
EASTERN DIVISION**

**STATES OF WEST VIRGINIA,
NORTH DAKOTA, GEORGIA, and
IOWA, *et al.*,**

Plaintiffs,

v.

**U.S. ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,**

Defendants.

Case No. 3:23-cv-00032-PDW-ARS

Hon. Peter D. Welte

PLAINTIFF STATES' MOTION FOR PRELIMINARY INJUNCTION

Under Federal Rule of Civil Procedure 65 and D.N.D. Civ. L. R. 7.1(B), and for the reasons stated in the accompanying memorandum, the Plaintiff States move for a preliminary injunction order enjoining Defendants from enforcing the final rule entitled, "Revised Definition of 'Waters of the United States,'" 88 Fed. Reg. 3004-3114 (January 18, 2023).

Dated: February 21, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on February 21, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the attorneys of record, and I will serve the foregoing via certified mail to the following:

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